

REMARKS

Claims 1-20 are pending in the present application.

Unity of Invention:

The Examiner has required that Applicants select one of Groups I – VII as set forth on page 2 of the Office Action.

Applicants elect with traverse, Group III, Claims 1-16, drawn to piperidine compounds, wherein n and m are two carbon atoms.

Election of Species Requirement:

The Examiner has required Election of Species between various Species identified on pages 5-6 of the Office Action.

Applicants elect the following Species, with traverse:

$R^1 = H$

$R^2 = H$

$R^3 = 4\text{-chlorobenzyl}$ (falling within $-\text{CH}_2\text{-C}_6\text{-C}_{10}\text{-aryl}$ substituted by R^7 which is chlorine)

$R^4 = \text{cyclohexyl}$

$R^5 = -\text{C}(\text{O})\text{CH}(\text{Me})_2$ (falling within $-(\text{CH}_2)_p\text{-CO-R}^8$, which is C_3 alkyl and $p=0$)

Applicants respectfully submit that the compounds of formula (1) of the present invention have melanocortin receptor agonistic activity in common. Thus, the Markush claims of the present application i) have the common utility as a melanocortin receptor agonist and ii) share a substantial structural feature essential to that utility. And the compounds included within a Markush group share the same special technical feature. Thus, there exists no non-unity.

Upon allowance of the elected Species, the Examiner is requested to expand the search to the non-elected Species.

Claims 1-20 read on the elected Species.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Craig A. McRobbie, Registration

No. 42874 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated:

MAY 11 2010

Respectfully submitted,

By



Craig A. McRobbie

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